

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON EXHIBIT A,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF REQUEST TO DEPOSE BERNARD L. MADOFF  
ON DAY TWO DEPOSITION TOPICS**

PLEASE TAKE NOTICE that pursuant to the Order Authorizing the Deposition of Bernard L. Madoff dated September 29, 2016 [Docket No. 14213] (the “Deposition Order”) the defendants represented by Loeb & Loeb LLP whose fact discovery had not closed prior to July 7, 2016 and identified on Exhibit A hereto (the “Defendants”) seek permission to depose Bernard L. Madoff (“Madoff”) on each of the Day Two Deposition Topics, as defined in the Deposition Order, as they relate to each Defendant’s account:

1. The extent to which Madoff or Bernard L. Madoff Investment Securities LLC (“Madoff Securities”) bought, sold and held actual securities shown on the customer states from and after 1992 through December 2008.

2. The redacted FBI 203 recently produced by the Trustee.

3. Interpretation of Madoff’s or BLMIS’s account records sent to customers, including the Defendants.

4. Day Two Deposition Topics listed by Helen Chaitman and any other Authorized Counsel for Participating Customers.

Dated: New York, New York  
May 31, 2017

**LOEB & LOEB LLP**

By: /s/ Daniel B. Besikof  
Daniel B. Besikof  
345 Park Avenue  
New York, New York 10154  
Telephone: 212.407.4000  
Facsimile: 212.407.4990  
Email: dbesikof@loeb.com

*Attorneys for Defendants listed on Exhibit A*

**EXHIBIT A**

**DEFENDANTS**

Case Name

Adv. Proc. No.

Picard v. Kenneth Evenstad Trust, et al.

10-4342-SMB

- Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Kenneth L. Evenstad in his capacity as Grantor and Trustee for the Kenneth L. Evenstad Revocable Trust
- Grace B. Evenstad in her capacity as Trustee for the Kenneth L. Evenstad Revocable Trust
- Kenneth L. Evenstad, individually
- Grace B. Evenstad, individually

Picard v. Kenneth Evenstad Trust, et al.

10-4933-SMB

- Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Kenneth L. Evenstad, as Grantor and Trustee of the Kenneth L. Evenstad Revocable Trust and individually
- Grace B. Evenstad, as Trustee of the Kenneth L. Evenstad Revocable Trust and individually

Picard v. Mark Evenstad Trust, et al.

10-4512-SMB

- Mark B. Evenstad Revocable Trust u/a dated January 30, 2003
- Mark B. Evenstad in his capacity as Grantor and Trustee for the Mark B. Evenstad Revocable Trust
- Shannon Mahoney Evenstad in her capacity as Trustee for the Mark B. Evenstad Revocable Trust
- Mark B. Evenstad, individually
- Shannon Mahoney Evenstad, individually

Picard v. MBE Preferred Ltd Partnership, et al.

10-4952-SMB

- MBE Preferred Limited Partnership
- MBE General LLC, as the General Partner of MBE Preferred Limited Partnership
- Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000 as a Limited Partner of MBE Preferred Limited Partnership
- Kenneth L. Evenstad in his capacity as Grantor and Trustee for the Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Grace B. Evenstad in her capacity as Trustee for the Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Kenneth L. Evenstad, individually
- Grace B. Evenstad, individually

Picard v. Serene Warren Trust, et al. 10-4514-SMB

- Serene Warren Revocable Trust u/a/d September 15, 2005
- Serene Warren and Christopher Warren, as trustees of the Serene Warren Revocable Trust
- Serene Warren, individually

Picard v. SEW Preferred Ltd Partnership, et al. 10-4945-SMB

- Sew Preferred Limited Partnership
- Sew General, LLC
- Grace B. Evenstad Revocable Trust
- Grace B. Evenstad, as co-trustee of the Grace B. Evenstad Revocable Trust
- Kenneth L. Evenstad, as co-trustee of the Grace B. Evenstad Revocable Trust
- Serene Warren Revocable Trust
- Serene Warren, as co-trustee of the Serene Warren Revocable Trust
- Christopher Warren, as co-trustee of the Serene Warren Revocable Trust

Picard v. Fiterman Investment Fund, et al. 10-4354-SMB

- Fiterman Investment Fund
- Verdeway Investment Partners LLC
- Steven Fiterman, individually and in his capacity as general partner of Fiterman Investment Fund
- Susan Fiterman, individually and in her capacity as general partner of Fiterman Investment Fund